

Customer No.: 31561  
Application No.: 10/708,366  
Docket No.: 12456-US-PA

### REMARKS

#### Present Status of the Application

The Office rejected claims 1-6, 8, 12-14 and 17 under 35 U.S.C. 102(b), as being anticipated by Cuffey et al. (U.S. Patent 2,967,010; hereafter Cuffey). The Office Action also rejected claims 7, 9-11, 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Cuffey. The Office Action rejected claim 15 under 35 U.S.C. 103(a), as being unpatentable over Cuffey in view of Friedland et al. (U.S. Patent 6,238,762; hereafter Friedland). Applicants respectfully traverse the rejections but have amended claims 1 and 12 to improve clarity by introducing the limitation claimed in claims 10 and 19. Furthermore, Applicants have amended the title of the present invention in order to further indicate the claimed subject matter of the present invention. After entry of the foregoing amendments, claims 1-9, 11-18 and 20 remain pending in the present application, and reconsideration of those claims is respectfully requested.

#### Discussion of Office Action Rejections

*The Office Action rejected claims 1-6, 8, 12-14 and 17 under 35 U.S.C. 102(b), as being anticipated by Cuffey et al. (U.S. Patent 2,967,010; hereafter Cuffey). The Office Action also rejected claims 7, 9-11, 16 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Cuffey. The Office Action rejected claim 15 under 35 U.S.C. 103(a), as being unpatentable over Cuffey in view of Friedland et al. (U.S. Patent 6,238,762; hereafter Friedland).*

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Applicants respectfully traverse the rejections but have amended claims 1 and 12.

Applicants respectfully submit that the amended independent claims 1 and 12 are allowable for at least the reason that Cuffey fails to teach or disclose each and every features of the amended independent claims 1 and 12. As amended, claims 1 and 12 recite respectively:

Claim 1. An easily tearable film, comprising a unidirectionally tearable film with a plurality of cutting lines thereon, wherein  
an adhesive layer for sticking the easily tearable film on an object, wherein the adhesive layer is located on a surface of the unidirectionally tearable film;

the unidirectionally tearable film has a tearing direction; and  
each cutting line has a first end point and a second end point, and has a joining point with an imaginary straight line parallel to the tearing direction that passes the first end point of a next cutting line.

Claim 9. A method for preparing an easily tearable film, comprising:

providing a unidirectionally tearable film that has a tearing direction;  
forming an adhesive layer on a surface of the unidirectionally tearable film; and

forming a plurality of cutting lines on the unidirectionally tearable film, wherein each cutting line has a first end point and a second end point and has a joining point with an imaginary straight line parallel to the tearing direction that passes the first end point of a next cutting line.

(*Emphasis added*). Applicants submit that claims 1 and 12 patently define over the cited arts for at least the reason that the cited art fails to disclose at least the features emphasized above.

In the present invention, the easily tearable adhesive film includes a unidirectionally tearable film with several cutting lines thereon. Furthermore, an

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adhesive layer is located on the surface of the unidirectionally tearable film so that the easily tearable film can stick to an object after it is torn. The easily tearable film can be easily torn in a direction different from the tearing direction of the unidirectionally tearable film because of the cutting lines.

However, Cuffey fails to teach or suggest that an adhesive layer is located on the surface of the paperboard with lines/perforations.

Additionally, Cuffey never mentions that an adhesive layer on the surface of the carton is used to stick the torn portion of the carton onto an object.

"The prior art references in combination do not suggest the invention as a whole claimed in the ....patent. Absent such a suggestion to combine the references, respondents can do no more than piece the invention together using the patented invention as a template." *Texas Instruments Inc. v. U.S. Int'l Trade Comm'n*, 988 F.2d 1165, 26USPQ2d 1018 (Fed. Cir. 1993). Apparently, Cuffey fails to teach that the adhesive is located on the surface of the paperboard and the removed section 23 of the paperboard can stick onto an object through the adhesive. The modification of Cuffey's application with forming the adhesive on the paperboard is nothing but the benefit of hindsight.

Furthermore, the material of the unidirectionally tearable film was developed far after the Cuffey's application was issued. Therefore, the Applicants respectfully submit that it is unreasonable for people skilled in the art to apply the teaching in Cuffey's application on the unidirectionally tearable film. That is, Cuffey's application fails to teach to replace the paperboard by the unidirectionally tearable film.

Therefore, Cuffey substantially fails to teach each and every feature of claims 1

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and 12, and therefore, Cuffey cannot possibly anticipate the claimed invention as claimed in the proposed independent claims 1 and 12 in this regard.

Claims 2-9, 11, 13-18 and 20, which depend from claims 1 and 12 respectively, are also patentable over Cuffey, at least because of their dependency from an allowable base claim.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-9, 11-18 and 20 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

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